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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,221	09/03/2003	Susumu Katagiri	R2184.0088/P088-A	2742

24998 7590 02/22/2007
DICKSTEIN SHAPIRO LLP
1825 EYE STREET NW
Washington, DC 20006-5403

EXAMINER

MAGEE, CHRISTOPHER R

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DETAILED NON-FINAL OFFICE ACTION

Response to Amendment

1. The indication of allowable subject matter of claims 30-33 in the Office Action, dated 09/07/2006 has been withdrawn in view of the newly discovered reference(s) to Makita (US 6,775,837. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 20, 22, 26 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Makita (US 6,775,837).

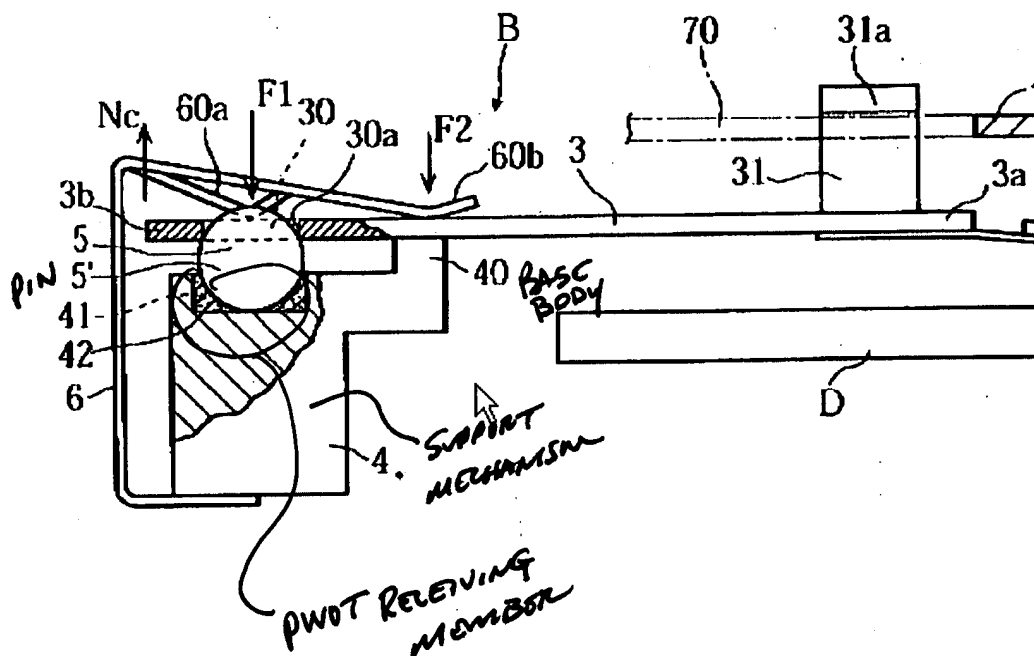
- Regarding claims 20, 22, 26 and 30, Makita shows an adjustment structure comprising:

a base body 40 ; and

a first support mechanism and a second support mechanism respectively provided on the base body 40,

each of said first and second support mechanisms having a pivot-receiving member respectively, and a pivot comprising a pin 5' having a rounded tip end which engages the pivot-receiving member [Figures 2 and 3].

FIG.3



Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21, 23, 27, 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. (US 6,044,057) as applied to claims 20, 22, 26, and 30 above, and further in view of Makita (US 6,775,837).

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- Regarding claims 21, 23, 27-29, and 31-33, Park shows an optical disk apparatus comprising:

- a base body 300;

- a spindle motor 310 provided on the base body 300, configured to rotate an optical disk;

- an optical pickup 320 configured to irradiate a light beam on the optical disk to record and/or reproduce information on and/or from the optical disk;

- a seek mechanism 330, configured to move the optical pickup, and

- an adjustment structure [i.e., phase adjusting device and the complex adjusting device] configured to adjust the seek mechanism, said adjustment structure comprising:

- a first support mechanism 360 and a second support mechanism 351' (two support mechanisms) respectively provided on the base body 300.

Park does not show each of said first and second support mechanisms having a pivot-receiving member respectively, and a pivot comprising a pin having a rounded tip end, which engages the pivot-receiving member.

Makita shows first and second support mechanisms having a pivot-receiving member respectively, and a pivot comprising a pin having a rounded tip end, which engages the pivot-receiving member.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the support mechanisms of Park with a pivot-receiving member respectively, and a pivot comprising a pin having a rounded tip end, which engages the pivot-receiving member as taught by Makita.

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The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the support mechanisms of Park with a pivot-receiving member respectively, and a pivot comprising a pin having a rounded tip end, which engages the pivot-receiving member as taught by Makita in order to allow the structure/chassis to move a great distance without compromising the accuracy of the head positioning procedure [Makita; col. 2, lines 17-21].

Response to Arguments

4. Applicant's arguments with respect to claims 20-23 and 26-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (571) 272-7592. The examiner can normally be reached on M-F, 8: 00 am-4: 30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher R. Magee
Patent Examiner
Art Unit 2627



Andrea Wellington
Supervisory Patent Examiner
Art Unit 2627

February 20, 2007
crm